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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRUSTEES OF THE OPERATING ENGINEERS PENSION TRUST et al.,	Case No. 2:24-cv-06631-SB-KS
Plaintiffs,	
v.	ORDER REOPENING CASE AND ORDERING PLAINTIFF TO SHOW CAUSE RE SERVICE
SVG CONTRACTORS, INC.,	
Defendant.	

On September 26, 2024, Plaintiffs notified the Court that Defendant had filed a Chapter 7 bankruptcy petition, which imposed a self-executing stay on this case. Dkt. No. 12. The Court ordered the clerk to administratively close the case and directed Plaintiffs to file a report notifying the Court when the stay is lifted. Plaintiffs have notified the Court that Defendant's bankruptcy proceeding was closed on October 31, 2024 and that they "will file an application to reinstate this action on the Court's Active Case List." Dkt. No. 14. Plaintiffs have not yet moved to reopen this case.

The Clerk's Office is directed to reopen the case. Additionally, Plaintiffs are ordered to show cause, in writing, by December 6, 2024, whether service on Defendant was proper. Plaintiffs have filed a proof of service indicating that they served Defendant by leaving a copy of the summons and complaint with a receptionist at 983 University Ave, 104C, Los Gatos, CA 95032 and mailing the materials to Joseph Sweeney, Defendant's "Agent for Service," at the same address. Dkt. No. 10. From the face of the proof of service, the Court is unable to discern whether service was proper under Cal. Civ. Proc. Code § 415.20(a), as the address and "Agent for Service" on the proof of service do not match the registered information for Defendant on the California Secretary of State website.

The Court will consider as an appropriate response to this order to show cause (OSC) the filing of proof of service that complies with Federal Rule of Civil

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Procedure 4. Failure to timely respond to this OSC may be deemed consent to the dismissal without prejudice of Plaintiff's claims against Defendant.

Date: November 26, 2024

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Stanley Blumenfeld, Jr.
United States District Judge